

Appl. No. 10/651,842
Amdt. Dated February 7, 2006
Reply to Office Action of November 22, 2005

REMARKS

Reconsideration of this application is respectfully requested in light of the above amendments and the following remarks. After the amendments detailed above, claims 1-4, 6 and 9-16 are pending in this application. In particular, claims 1-4, 6, 9, 12-14 and 16 have been amended, claims 5, 7 and 8 have been canceled, and claims 10, 11 and 15 have been maintained in their previous form. No new claims have been added. Applicants assert that the amended claims are fully supported by the disclosure of the application as filed, and as such, do not introduce new matter. The status of all the pending claims is reflected in the above listing.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1-16

Claims 1-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,641,533 to Causey. The Section 102 rejections to claims 5, 7 and 8 are moot as claims 5, 7 and 8 have been canceled. The Section 102 rejections to claims 1-4, 6 and 9-16 are also moot as claims 1, 6 and 9 have been amended.

"Anticipation requires the disclosure in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). As set forth below, Causey fails to expressly or inherently disclose at least one element recited in each of the amended independent claims.

Accordingly, the present claims are patentably distinct as written, and the rejection of these claims under Section 102 must be withdrawn. Specifically, claims 1 and 6 have been amended to further recite "...a first apparatus is operable to programming, testing, and managing a second apparatus..." Likewise, claim 9 has been amended to further recite "...a first personality module is operable to programming, testing, and managing a second personality module..."

As disclosed in the present application, an enclosure can remotely connect to any

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personality module in a facilities management system and manage it by knowing its IP address. In addition, the IP addresses of all personality modules within the enclosures of the facilities management system can be locally stored (page 19, paragraph [0057]). In doing so, a first apparatus, enclosure, or personality module can program, test, and manage at least a second apparatus, enclosure, or personality module within the facilities management system. The process of automatically recording the IP addresses is further described in the specification (page 19-20, paragraph [0058]). Applicants thereby assert that the amended claims are fully supported by the disclosure of the application as filed, and as such, do not introduce new matter.

In contrast, Causey does not expressly or inherently disclose a first apparatus or personality module operable to programming, testing, and managing a second apparatus or personality module. Causey discloses an apparatus (PDA) having a port (medical device interface) for connecting to a field device (medical device) as described by the Examiner on page 2 of the Office Action. By manipulating the user interface (Palm computing software and the various icons on the PDA) displayed on the display, a user can program, test, and manage the apparatus, whether it be the medical device or the PDA (page 3 of Office Action). Causey does not disclose using a first PDA to program, test, or manage a second PDA because there is no motivation to use a PDA to program, test, or manage another PDA. In fact, doing so would be teaching away from the purpose of Causey, which is to use a PDA to program, test, and manage medical devices in the field.

As amended, independent claims 1, 6 and 9 recite a field device and multiple apparatuses in the management facilities system whereby the apparatuses include common features and may program, test or manage another apparatus in the system wherein the other apparatus is not the field device which is a separate, independent unit in the claimed system. Thus, Causey fails to expressly or inherently disclose at least one element of amended independent claims 1, 6 and 9. Accordingly, Causey does not anticipate these claims and the Section 102 rejection should be withdrawn.

Since Causey does not expressly or inherently disclose each element of amended independent claims 1, 6 and 9, and since claims 2-4 and 10-16 depend from and further limit amended independent claims 1, 6 and 9, the rejection to these claims should also be

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withdrawn. Applicants have amended claim 2-4, 12-14 and 16 for grammatical and antecedent reasons and not for reasons related to patentability. As such, Applicants believe that the Section 102 rejection to these claims should also be withdrawn.

II. Conclusion

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Greenberg Traurig
3773 Howard Hughes Pkwy.
Suite 500 North
Las Vegas, Nevada 89109

Telephone : 702-792-3773
Facsimile : 702 792-9002

Respectfully submitted,

By: _____

Rob L. Phillips
Registration No. 40,305

Date: February 7, 2006

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of fees which may be required by this paper to Deposit Account No. 502466 including any fee for extension of time, or the fee for additional claims which may be required. Please show our docket number with any Deposit Account transaction. A copy of this letter is enclosed.

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